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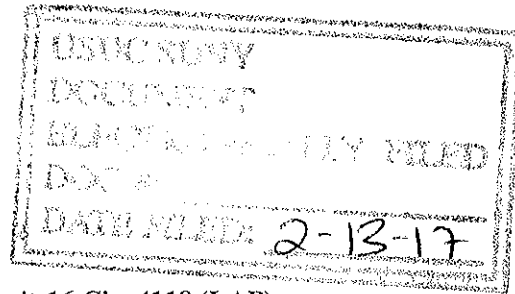
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February 8, 2017

BY ECF

Hon. Loretta A. Preska
United States District Court
Southern District of New York
500 Pearl Street, Room 2220
New York, NY 10007



Re: *Gater Assets Ltd. v. AO Gazsnabtranzit*, 16 Civ. 4118 (LAP)

Dear Judge Preska,

On behalf of Plaintiff Gater Assets Limited ("Plaintiff"), I write to request the Court's assistance in serving the January 26, 2017 Order and Default Judgment in the above-referenced action pursuant to the Section 1608(e) of the Foreign Sovereign Immunities Act ("FSIA"). 28 U.S.C. § 1608(e) (requiring "a copy of any such default judgment [to] be sent to the foreign state or political subdivision in the manner prescribed for service in this section."). On January 26, the Court signed an Order and Default Judgment, ordered that Plaintiff was entitled to recover \$27,405,766.18 from the Defendants (including interest through January 26), and directed that the Clerk of the Court enter the Court's signed Order and Default Judgment as a final judgment. Accordingly, the Clerk entered the Order and Default Judgment as a final judgment on January 26. ECF Dkt. No. 26. Plaintiff now seeks the Court's assistance in effectuating service of that final judgment upon Defendants.

As this Court is aware, Plaintiff's prior attempts to serve Defendants with the Complaint, Summons, and other case-initiating papers pursuant to the Hague Service Convention, under FSIA Sections 1608(a)(2) and (b)(2), were unsuccessful. *See* ECF Dkt. No. 23 (Jacob Affidavit ¶¶ 17-30). Accordingly, Plaintiff sought the assistance of the Clerk of the Court in serving Defendants pursuant to FSIA Sections 1608(a)(3) and (b)(3)(B). *See* 28 U.S.C. § 1608(a)(3) (calling for service upon a foreign state "to be addressed and dispatched by the clerk of the court to the head of the ministry of foreign affairs of the foreign state concerned"); 28 U.S.C. § 1608(b)(3)(B) (calling for service upon an instrumentality "by any form of mail requiring a signed receipt, to be addressed and dispatched by the clerk of the court to the agency or instrumentality to be served"); ECF Dkt. 23-6 (Ex. F to Jacob Affidavit (Plaintiff's Letter to Ruby J. Krajick requesting service of case-initiating papers)). Service was deemed successful under those methods upon delivery to the Defendants on October 7, 2016. *See* ECF Dkt. Nos. 15-17 (Clerk Certificates of Mailing to Defendants); ECF entries dated Nov. 2, 2016 (noting service



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effective as of Oct. 7, 2016).

In light of Plaintiff's past unsuccessful attempt at service under FSIA Sections 1608(a)(2) and (b)(2), and the subsequent successful attempt at service by the Clerk of the Court pursuant to Sections 1608(a)(3) and 1608(b)(3)(B), Plaintiff respectfully requests the assistance of the Court in directing the Clerk to effectuate service upon Defendants pursuant to FSIA Sections 1608(a)(3) and 1608 (b)(3)(B).

Pursuant to the procedures published by the Clerk's office, attached please find, for each Defendant, (1) one copy of the signed and docketed Order and Default Judgment in the original English, (2) one copy of the Order and Default Judgment translated in Romanian (the official language of the Republic of Moldova), and (3) an affidavit of translation. For each Defendant, we have placed one copy of the complete set of the papers to be served by the Clerk of the Court in a pre-addressed DHL envelope bearing this firm's account number and return address. The envelopes are addressed to:

AO Gazsnabtranzit
c/o AO Moldovagaz
Strada Albisoara, No. 38
Chisinau 2005
Republic of Moldova

AO Moldovagaz
Strada Albisoara, No. 38
Chisinau 2005
Republic of Moldova

Republic of Moldova
c/o Andrei Galbur, Minister of Foreign Affairs
Ministry of Foreign Affairs
Strada 31 August 1989, No. 80
2012 Chisinau
Republic of Moldova

These are the same addresses as those used when the Clerk of the Court previously and successfully effectuated service of the Complaint, Summons, and other case-initiating papers.

Plaintiff respectfully requests that the Court "So Order" this letter so that Plaintiff may fulfill its service obligations under FSIA Section 1608(e).

Dechert
LLP

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Thank you for considering Plaintiff's request.

Sincerely,

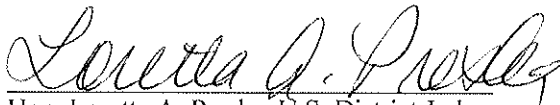
/s/ Jennings F. Durand

Jennings F. Durand

Enclosures

Pursuant to 28 U.S.C. §§ 1608(a)(3), (b)(3)(B), the Clerk of the Court is respectfully directed to serve Defendants AO Gazsnabtranzit, AO Moldovagaz, and the Republic of Moldova—using the pre-addressed DHL envelopes provided by Plaintiff—with (1) a copy of the signed and docketed January 26, 2017 Order and Default Judgment, which constitutes the final judgment in this matter, (2) a Romanian translation of the Order and Default Judgment, and (3) an affidavit of translation.

SO ORDERED.


Hon. Loretta A. Preska, U.S. District Judge

Date: 2/9/17